

10 39402

PATENT APPLICATION  
JC20 Rec'd PCT/Amo 17 JUN 2005  
Attorney's Do No 8913775

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Christine Margarete Unger;  
Gerald Beste; Carolin Zehetmeier;  
Blanca Lain; Claudia Torella;  
Jens Niewöhner; Daniel G. Jay;  
Brenda K. Eustace; Roland Knauer;  
Kristian Hobold Jensen

Serial No.                      Filed:

For: NEUROPILIN-1 INHIBITORS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER ACCOMPANYING FLOPPY DISC**

Submitted with the above-referenced application, is a floppy disc containing a computer-readable Sequence Listing in a text file entitled: P10138-SEQ.txt. This disc is IBM-PC and Windows compatible. The size of the text file is 124 KB.

This disc is labeled with the named inventors and was created on June 16, 2005, from a file created: \_\_\_\_\_.

Accompanying this letter are copies of a request from the European Patent Office in PCT/EP2003/014756 requesting a corrected computer-readable sequence listing and the response of the European patent attorney furnishing the computer-readable sequence listing together with her statement verifying that the information recorded in computer-readable form is identical to the written sequence listings and does not go beyond the disclosure in the PCT application as filed. The accompanying floppy disc is a copy of the computer-readable sequence submitted to the European Patent Office in the PCT application.

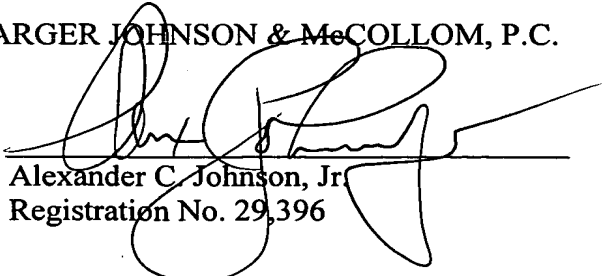
No new matter is added.

Respectfully submitted,

20575  
Customer No.

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Storage and Retrieval of Amino acid and Nucleotide Data

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Fleuchaus & Gallo Patentanwälte
13. Sep. 2004
Frist: 20. Sept. 2004

per September 06, 2004  
not pa

Refer: International application no. PCT/EP 03/14756  
Your ref.: XE12EPC-5902

Dear Ms. Fleuchaus,

Thank you very much for your letter dated March 14, 2004. Unfortunately, according to our verification the Sequence Listing on electronic medium (diskette) and the Sequence Listing on paper does not comply with the WIPO ST 25.

Namely, we observed that SEQ.ID.NO. 73-108 are not included in the Sequence Listing.

The applicant is herewith invited to file a complete Sequence Listing on paper and in computer readable form, accompanied by the appropriate statements.

Relating to this, we remind you that if these requirements are not met or not met in due time, the EPO does not perform the international search where a meaningful search cannot be carried out (Rule 13<sup>ter</sup>.1(c)PCT). In this case the international search report is replaced in full or in part by the statement under Article 17(2)(a)(ii)PCT.

*Moreover Rule 13<sup>ter</sup>(f) prescribes that a subsequently filed sequence listing, which is not a correction within the meaning of rule 26.4 PCT and which is not a rectification within the meaning of Rule 91.1.PCT of a sequence listing, shall not form part of the international application. In accordance herewith, the furnishing of a subsequently filed sequence listing does not give rise to an opportunity either to amend the description, claims and figures with a view to refer to said subsequently filed sequence listing or add it to the application as originally filed. The subsequently furnished listing will therefore normally not be forwarded to the international Bureau for publication purposes.*

Concerning above mentioned application, we herewith kindly remind you that the ISA expects to receive the requested documents before September 20, 2004.

Should you not be able to send us the sequence listing, please let us also know your response in the best delays.

Please send sequence listing in computer-readable form to the European Patent Office, preferably to the branch of The Hague.

Yours faithfully

Nina Vercio

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## FLEUCHAUS & GALLO

Patentanwälte  
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- In Cooperation with:  
WALLINGER & PARTNER  
Patent - und Rechtsanwälte  
Büro/Office München - Zweibrückenstr.

Antwort erbeten an / Please reply to  
Fleuchaus, München

München, <sup>14</sup>/<sub>15</sub> September 2004

International Patent Application No. PCT/EP03/14756  
Applicant: Xerion Pharmaceuticals AG, et al.  
Our ref.: XE12EPC-5902

Dear Ms. Vercio,

In reply to the invitation to file a sequence listing we enclose with this letter

1. The sequence listing in written form according to the standards provided in Annex C of the administrative instructions.
2. The sequence listing in computer readable form according to the standards provided in Annex C of the Administrative Instructions.
3. The statement as required.

Thank you for your assistance



Dr. Andrea Fleuchaus  
European Patent Attorney

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Statement

The applicant, represented by Dr. Andrea Fleuchaus, according to the already provided Power of Attorney, herewith confirms that

- the furnished sequence listing does not go beyond the disclosure in the international application PCT/EP03/14756 as filed; and
- that the information recorded in computer readable form is identical to the written sequence listings.

15.9.09

Date

*Dr. Andrea Fleuchaus*

Signature